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November 2, 2018

The Honorable Sherry R. Fallon
United States District Court
822 North King Street
Wilmington, DE 19801

BY E-FILING AND HAND DELIVERY

Re: *Liqwd, Inc., et al. v. L'Oréal USA, Inc., et al.*, C.A. No. 17-14 (JFB)(SRF)

Dear Judge Fallon:

We write on behalf of all parties in the above-referenced action in response to the Court's October 25, 2018 Oral Order regarding the November 8, 2018 *Markman* hearing. First, the parties do not request leave to present live testimony at the hearing. Second, the parties propose dividing the Court's allotted three (3) hours equally between the sides (*i.e.*, each side is afforded one hour and a half (1.5) hours, in total). If acceptable to the Court, the parties plan to proceed with introductory remarks and tutorials followed by argument on a term-by-term or collection of terms basis with each party arguing for its proposed construction before proceeding to the next term in the following order (with each party using their allotted 1.5 hours as they desire during argument):

1. Introduction and Tutorials
2. Disputed Terms (in the listed order)
 - Argument on "mixture/concentration," "active agent"/"maleic acid," and "salts thereof" terms (Plaintiffs present collective arguments on these terms first)
 - Argument on the "mixing" and "at the time of use" terms (Defendants present collective arguments on these terms first)
 - Argument on the "bleach powder" and "bleaching formulation" terms (Plaintiffs present collective arguments on these terms first)
 - Argument on the "hair breakage" terms (Defendants present collective arguments on these terms first)
 - Argument on the "about" terms (Defendants present collective arguments on these terms first)

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Counsel are available at the convenience of the Court, should Your Honor have any questions.

Respectfully,

/s/ Jeremy A. Tigan

Jeremy A. Tigan (#5239)

JAT

cc: Clerk of the Court (by hand delivery)
All Counsel of Record (by CM/ECF and email)